THE EXAMINER.

No. 363. SUNDAY, DEC. 11, 1814.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 253.

EXTRACTS FROM A LATE PAMPHLET OF M. CHATEAUBRIAND.

[The following have been sent us by a Correspondent, with an intimation, that as we assisted in giving publicity to M. CARNOT's opinions, we might probably think fit to do as much for those on the other side of the question. We know not in what spirit this intimation is given; nor are we at all sure that it is incumbent upon us to do as much for M. CHATEAUBRIAND in this instance as for the person he has undertaken to answer; on the contrary, one reason for our acting as we did for M. CARNOT, was the notorious fact, that the whole of the French Press is at present under the influence of the Court; and that, therefore, he was not likely to get as good a hearing as his enemies.

Not to give rise, however, to any suspicions of undue partiality, especially as we have so often maintained that freedom of discussion in all sides is the greatest security of freedom in every shape, we have given insertion to our Correspondent's extracts; and had our last week's attack of illness left us, should have made remarks upon them. But these perhaps are not necessary. M. CHATEAUBRIAND is the same person, who in a pamphlet published a short time since, was gross enough, or credulous enough, to state seriously, that BONAPARTE had once been heard to use words to the following purport:—"I understand there are still some worthy families in France; but I shall get at them yet." He appears, by some other works, to be a weak devotee,—a sort of unique lay monk,—issuing out upon us from former times like one of the Seven Sleepers, and making pilgrimages to Jerusalem. He may also be a very worthy man; but the attempt to exalt him into a pillar of state and religion, and to oppose him to such men as CARNOT, is quite ludicrous. It is clear from the following remarks that he does not understand the question he is upon; he makes it a mere matter of feeling and recrimination; and only repeats those impolitic charges, against which M. CARNOT thought himself bound to protest in the first instance.]

A judge seated on a tribunal according to the established laws of a country, and not by means of a violent revolution, condemns a man to death. This man is justly condemned: he has been guilty of the greatest crimes. But this man has a brother: this brother neither can nor ought to divest himself of the feelings of nature; so that between the judge of the guilty and the brother of the guilty, there never can be the least relation. The cry of blood has for ever separated these two men.—A judge seated on a tribunal according to the established laws of a country, and not by means of a violent revolution, condemns a man to death. This man is innocent of the crime of which he is accused; but either by a wilful or involuntary error, the judge condemns the innocent. If this man has a brother, much less than in the former case can this brother ever have any communication with the judge.—Lastly, a man condemns a man to death: the condemned is innocent; the person who condemns him is not his natural judge; the innocent person condemned is a king; the pretended judge is his subject. All the laws of nations and of justice are violated by the murder. The tribunal, instead of requiring two-thirds of the voices in order to pronounce sentence, gives its decision on the preponderance of a few votes.—In order to obtain this preponderance, it is even necessary to reckon the votes of the judges, who pronounce death conditionally. The monarch thus conducted to the scaffold has a brother. Can the judge who condemned the innocent, can the subject who immolated his king, ever present himself before the eyes of the brother of that king? If he cannot present himself before him, will he, however, dare to write to him? If he writes to him, will it be to declare himself guilty, and to offer his life in expiation? If it is not to devote his head, it is at least to reveal some important secret for the safety of the state. No; he writes to this brother of the king to complain of being unjustly treated; he carries his complaints to threats; he writes to this brother, become a king, and whose subject he is consequently become, to apologise to him for the murder of his brother; to prove to him by the word of God and the authority of man, that it is lawful to kill one's king. Thus joining theory to practice, he presents himself to Louis the 18th as one who has deserved well at his hands: he comes to shew him the bleeding body of Louis the 16th,

Et sa tête à la main demander son salaire.

Is it from the bottom of a dungeon, in miserable exasperation, that this apology of king-killing is written? The author is in full liberty; he enjoys the rights of other citizens; we see in the title-page of his work a list of his situations and of his honours; situations and honours, of which some have been conferred on him since the restoration. The King without doubt, overcome with grief and indignation, has pronounced some terrible judgment. The King has given his word to forget every thing.

But if the King has given his word, the world has not; it can break silence. By what imprudence are men who ought above all others to court oblivion—by what imprudence are these men the first to bring themselves into notice, to publish, to draw up accusations, to sow discord, to attract the public attention? Who bestowed a thought on them? Who accused them? Who talked to them of the King's death? Who entreated them to justify themselves? Why could not they enjoy their honours in peace? They have boasted in other publications of having condemned Louis 16th to death: Alas! no one would dispute this glory with them. They say that they are *proscribed*; has a hair of their head been hurted? Have they lost one tittle of their professions, of their liberty? Why, dwelling on our days of misery, do they continue to accuse their vic-

times? Is then such a vast degree of courage and contempt of danger necessary to brave a Bourbon in these days? Must one be possessed of a heart of iron to attack their paternal kindness? Is it so very glorious to break the silence they kept under Bonaparte, by telling bold truths to a Monarch who, seated after five and twenty years of grief on the blood-stained throne of his brother, spreads nothing around him but a peace almost celestial? The only result of all this is, that the public is at last obliged to enter into questions which had better not have been agitated. Colonel Harrison, one of the judges of Charles 1st, was (after the restoration) transferred to a tribunal to be judged in his turn. Among the various circumstances which he adduced in his defence, he dwelt upon the silence which the English people had maintained till then respecting the death of Charles 1st. One of the Judges said to him in answer:—"I remember a story of a child who became dumb with terror, from seeing its father assassinated. Though he had lost the use of speech, the boy retained the features of the murderer deeply engraven on his memory: fifteen years afterwards recognising him in the midst of a crowd, he suddenly recovered his utterance and cried, there is the man who killed my father! Harrison, the people of England have ceased to be dumb; they cry when they see you, there is the man who killed our father!"

The authors of the death of Charles 1st were for the most part fanatics in earnest, zealots who, abusing the sacred writ, put their sovereign to death *in conscience*; but amongst us, may not those who bring the scriptures to the aid of such a cause, be suspected of joining mockery to parricide, of wishing to perplex the simple believer, by insulated and perverted quotations, while in their own eyes these quotations would only be ridiculous? To make use of incredulity thus to immolate faith, to justify the murder of Louis 16th by the word of God, without themselves believing that word, to put the King to death in the name of religion for the people, in the name of reason for *enlightened* minds, to kindle the altar of sacrifice with the united torches of fanaticism and philosophy, is, it must be confessed, a union of a new description.

If the English regicides were, as we have just said, fanatics in earnest, they had yet another thing in their favour. These men, though imbrued with the blood of their king, were innocent of that of their fellow-citizens. They had not signed the death-warrant of a multitude of men, of women, of children, and of aged persons; they had not put their names *in confidence* at the bottom of lists of condemned, after names very little calculated to inspire such confidence. The men, however, who had not done all this were held in detestation; they were shunned like a pestilence, and were killed like deer. How much was it to be feared that this fearful example did not influence Frenchmen; and yet what do we say to certain men? Nothing. They live about us, we meet them, we speak to them, we visit them, we sit at their table, we take their hand without shuddering. They enjoy their fortune, their rank, their honours. Like the King, we should never have talked to them of what they have done, if they had not been the first to make us recollect it, *and to constitute* themselves their own accusers; and do they dare to appeal to the spirit of vengeance? Let us have a care lest posterity pass an unfavourable judgment upon us—lest it look upon this admirable readiness to pardon every thing as a blameable indifference, as a criminal lenity, &c.

The English revolutionists were sincere republicans, staunch to their principles: their leaders would not obey Cromwell. Harrison, Ludlow, Vane, Lambert, openly opposed his tyranny, and were persecuted by him. They were for the most part possessed of many moral and religious virtues: by their proofs of this they almost honoured their crime. They did not enrich themselves with the spoils of the proscribed. On their own trials, when the Judge asked the witness the usual question, "Has the accused any possessions?" The answer was always, "We don't know that he has." Harrison, immediately before his death, wrote his wife word, that he had nothing to leave her but his bible.

Every man who invariably follows the same opinion is excusable, at least in his own eyes. A sincere republican, who is neither changed by time or fate, who is a constant enemy to kings, and holds tyrants in abhorrence, deserves esteem if he can be reproached with no crime. But if vast fortunes have been amassed—if after having murdered the lamb, they have caressed the tiger; if Brutus has been bribed by Cæsar, it is his interest to be silent: the language of pride and menace becomes him not.

What, after all, is the object of the authors of these deplorable apologies? A republic? They are cured of that chimera. A limited monarchy? They have one, and they allow themselves that the charter contains every security of liberty. If we probe the wound, we shall find a diseased conscience which cannot be at rest—a mortified vanity, irritated at not being invited to the King's Councils, and which would enjoy near his person not an equal but a superior attention to that bestowed on others: lastly, a secret despair arising from the insurmountable obstacle which exists between Louis 18th and the Judges of Louis 16th. Would not it be more honourable in these men to *do justice* to themselves, to avow candidly their errors, to feel that they cannot possibly be fit society for the King, to acknowledge his kindness, instead of feeling mortified by his silence, by the peace he grants them, and by the favours he heaps upon them instead of vengeance?

It is probable however that they push themselves thus into notice under the flattering presumption that they are strong: they must be undeceived.

They do not unreasonably remind us that all France is guilty with them of the King's death. "If you attack us, say they, you must soon after attack the next in order: we are the first phalanx; once broken, the remaining ranks will be pierced in all directions." Hence their hope is to collect a vast number to their standard, and to render themselves formidable by such an union.

In the first place, no person wishes to attack them, no one threatens them. Why are they so tremblingly alive? Why are the tears that embalm the memory of Louis 16th to be construed into accusations against *them*? Is it necessary, from motives of delicacy to them, to deny ourselves all regret? Is sorrow to be considered vindictive? Is repentance retaliation?—Admitting even that these persons had real cause for apprehension, they are totally wrong in supposing that every Frenchman makes common cause with them. The death of the King and of the Royal Family is the real crime of the Revolution. Almost all the other consequences of this Revolution are collective errors, (often expiated by virtues and redeemed by services) faults common to all, which cannot be imputed to individuals—misfortunes, which are the result of passions, brought about

by time, the inevitable effect of necessity, and with which we can not or ought not to reproach any particular person.

But the authors of the King's death have a private source of chagrin; in this respect no one can be interested for them.

This is by no means a vague supposition: the formation of the *Chambre des Pairs* necessarily carried with it some exclusions. Does the people care so much about it? The *Chambre des Deputés* reckoned among its inferior officers some persons so unfortunate as to have a share in the death of Louis 16th; they were advised to retire; the nation only saw in this conduct the interpretation of its own feelings. All noble and useful example should be given by worthy representatives of the French people. One of these courageously confessed his fault, by exiling himself from the midst of the colleagues. To judge one's self thus is to deprive others of the right of judging; it is to quit the class of the guilty to enter that of the unfortunate.

Those, therefore, who pronounced sentence upon Louis 16th must give up the idea of attaching every Frenchman to their cause. Neither must they rely too much on their own number. In fact, is it not proper to deduct from this number all those who voted for death with the appeal to the people, or with a condition tending to protract the execution. We ought to suppose that the latter had the idea of saving their master: at such a time, four and twenty hours were every thing: they might have believed, that such votes as offered a hope of safety, without actually confronting revolutionary fury, were more adapted to save the King than an absolute negative. It was a mistake, a weakness; but who is without mistakes and weaknesses? Let us suppose ourselves transported back to these dreadful moments,—let us figure to ourselves executioners and assassins occupying the galleries, surrounding the convention, pointing out with the finger, marking for the pognard, whoever refused to accede to the assassination of Louis 18th. Every public place, square and street, echoed with yells and threats. The massacres of September were yet fresh in their remembrance as an example; and it was well known to what excesses an unbridled mob could proceed.

It is also certain that preparations had been made for putting the Royal Family to death, as well as part of the Deputies, and several thousand of proscribed persons, in case the King had not been condemned. Perplexed by so many dangers, a man thinks he has found means to conciliate all interests; he imagines that by an evasive vote he shall save the Royal Family, suspend the death of the King, and prevent a general massacre: he eagerly lays hold of this fatal idea; he gives his vote conditionally. But his colleagues are not so deceived. They guess his intention, and reject with rage the appeal to the people, and temporising measures, and interpret the vote as they please. Is such a man guilty? Yes, according to law; but not according to intention. We must not now confine ourselves to rigid principles; for in that case even those who voted for the King's *life* would not be less guilty of treason, as the English Judges remarked on the trials of the regicides. But our misfortunes have been so great that they have exceeded all comparison and measure. It is easy to say, in moments of happiness and security, "I would have acted thus;—I would have conducted myself in such a manner." It is in the battle that we know our strength. We must not judge with scrupulous nicety what was said and done at the point of the dagger; so that, in these cases, a presumed good intention constitutes innocence.

We must again make a distinction in favour of those, who, having been called since the King's death to high situations in government, have endeavoured to expiate their first errors by saving victims, and resisting the bloody mandates of tyranny; and who, since the restoration, have shewn by their obedience and their wish to be useful to the monarchy, how sensible they are of the King's kindness.

Thus, then, is the feeble battalion of those, who believe themselves so strong, thinned of all those who ought not to fill their ranks. They are still further deceived, when they say they are the safe-guard of whoever else participated in our troubles. It would, on the contrary, be more consonant to truth to say, that if any thing has alarmed our minds, it is the pardon granted to the Judges of the King.

This pardon is in some sort *superhuman*, and men will almost be tempted not to believe it: the excess of virtue makes one suspect virtue. People may be disposed to say, "the King can not behave thus to the murderers of his brother, and since he pardons every person, it is probable that in his heart he pardons nobody." Thus the respect for the life, liberty, fortune, and honours of those who voted for the King's death, instead of conciliating the people at large, might serve to inflame them.

But the King wishes to proscribe no one. He is strong, very strong; no human power can now shake his throne. If he wished to strike the blow, it would be unnecessary for him to wait for other times or other circumstances: he has no reason to dissimulate. He does not inflict punishment, because, like his brother of sad and sacred memory, forgiveness is his characteristic; and that again, like Louis 16th, he would not save his own life by shedding a single drop of French blood. He has moreover given his word, No Frenchman from his example desires vengeance or aggravating recapitulations. What do we require of those who have been so unfortunate as to condemn to death the descendant of St. Louis and of Henry 4th? That they enjoy in peace what they have acquired, that they bring up their families. It is not however so hard, now that they are approaching their old age, now that the "pitiful fever" of ambition is passed away, that they have known men and things, and lived in the midst of blood and troubles: it is not so very hard to have a few moments to recollect themselves, before they go where Louis 16th is *gone*. *He* passed that "bourne," not full of years, not gently, not surrounded by his friends, not with every assistance and comfort, but yet in the prime of life, hurried, naked and alone; but nevertheless in peace.

If those who forced him to part so soon, wish to prove to mankind that they are worthy of the clemency which is granted them, let them no longer attempt to disturb the public mind by exciting groundless fears. Every good Frenchman ought at this hour to lock within his own breast his own discontents, even if he have reasonable ones. Whoever publishes a work whose aim is to kindle animosities and party spirit, is guilty. France stands in need of repose. We want balm for our wounds rather than to have them torn open and enlarged. The men we have been speaking of are not unjustly dealt with; several of them have talents, virtues, firmness of character, great capacity in business, and experience of the world.—To conclude, if any thing gives them pain in the restoration of the Monarchy, let them reflect on what they have done, and let them be sincere enough to confess, that the *inconveniences*

they complain of are little indeed, compared with the errors they have to answer for.

FOREIGN INTELLIGENCE.

FRANCE.

PARIS, DEC. 1.—The King, who does good in silence, has ordered the sum of 180,000 francs to be distributed monthly, out of the funds of the Civil List, among such of his faithful subjects as did not abandon him, and whom the calamities of the Revolution have left without fortune.—The Vice-President and the four Secretaries of the Chamber of Deputies having a day or two ago presented to the King a law adopted by the Chamber, the King asked them whether they had read the "Political Reflections" of M. Chateaubriand? His Majesty, after praising the work, observed, *that the principles contained in it ought to be those of all Frenchmen.*

DEC. 3.—Marshal Suchet, Duke of Albufera, is appointed Governor of Alsace (5th military division).

The Report of M. Faget de Baure has been printed and distributed. It comprises 29 articles, of which the following are the most remarkable dispositions:—"The punishment of death is pronounced against all Ministers who attempt the safety of the King's person, or the safety internal or external of the State by communications with the enemies of France, or to subvert the royal authority, the order of succession to the crown, or the constitutional power of one of the three branches of the legislative authority. Every Minister guilty of attempts on the public rights of the French, consecrated and defined by the Constitutional Charter, shall be punished with imprisonment for a time in a place of strength."

DEC. 5.—Louis XVIII. has nominated Marshal the Duke of Dalmatia (Soult) to be Minister and Secretary of State for the War Department. M. le Comte Beuguet, Minister and Secretary of State for the Marine and Colonies. M. D'Andre to be Director-General of the Police.

The *Moniteur* contains an article from a Bamberg Journal, under the head of Vienna, which states with confidence, that it can assure its readers that nothing official had yet appeared with respect to Saxony; that its future fate was yet under serious diplomatic deliberations, and that if it could be calculated from the number of Powers who interested themselves in the support of Saxony, the balance was rather in its favour. "The House of Austria," it observes, "will not abandon the rights of inheritance which the House of Saxony possesses over that country; the small States have an evident interest to support its rights, and France wishes, it matters not with what intention, to oppose the dismemberment of Saxony, and the French Plenipotentiary has delivered an extremely strong Note on the subject."

SAXONY.

DECLARATION.

FREDERICK AUGUSTUS, by the grace of God, King of Saxony, Duke of Warsaw, &c.

We have just learned with lively feelings of grief that our kingdom of Saxony has been provisionally occupied by the troops of his Prussian Majesty.—Firmly resolved never to separate our fate from that of our people; filled with confidence in the justice and magnanimity of the Allied Sovereigns, and intending to join their alliance as soon as we had the means of doing so, we determined, after the battle of Leipsic, there to await the conquerors. But the Sovereigns refused to hear us. We were compelled to depart from our States, and proceed to Berlin. His Majesty the Emperor of Russia nevertheless made known to us, that our removal from Saxony was dictated only by military interests, and his Majesty at the same time invited us to repose in him entire confidence. We also received from their Majesties the Emperor of Austria, and the King of Prussia, affecting proofs of interest and sensibility. We were in consequence enabled to cherish the hope, that as soon as these military considerations ceased to operate, we should be reinstated in our rights and restored to our dear subjects. We were the more entitled to expect a speedy and happy change in our situation, inasmuch as we had made known to the coalesced sovereigns our sincere desire to co-operate in the re-establishment of repose and liberty, and had manifested in every way which the power was left us of doing, our real devotedness to their persons and to the cause which was the object of their efforts.—On the conclusion of peace with France, it was infinitely painful to us to learn, that our reiterated instances for our speedy reinstatement had not been attended to; that our just hopes were still deceived; and that the decision of our dearest interests, and those of our people, had been adjourned to the Congress of Vienna. Far, however, from crediting the reports circulated with regard to the fate of our States since the epoch of the peace of Paris, we place entire confidence in the justice of the Allied Monarchs, though it be impossible to penetrate the motives of the proceedings which they have pursued towards us.—The conservation and consolidation of legitimate dynasties was the grand object of the war which has been so happily terminated: the coalesced powers accordingly repeatedly proclaimed in the most solemn manner, that, far removed from every plan of conquest and aggrandisement, they had only in view the restoration of the rights and liberties of Europe. Saxony, in particular, received the most positive assurances, that her integrity would be maintained. That integrity essentially includes the conservation of the dynasty for which the nation has publicly manifested its constant attachment, and the unanimous wish to be re-united to its Sovereign. We have communicated to the principal powers of Europe a frank and full exposition of the motives which guided our political conduct during these latter times; and from the unshaken confidence which we place in their intelligence and justice, we feel persuaded that they have recognised not only the purity of our intentions, but also the absolute necessity, resulting from the particular position of our States and the empire of circumstances, which prevented us from taking part in the struggle for Germany.—The inviolability of our rights and of those of our house to the well and justly acquired inheritance of our ancestors, is acknowledged. Our speedy reinstatement ought to be the consequence thereof.—We should be wanting to the most sacred duties towards our royal house, and towards our people, were we to remain silent under the new measures projected against our states at a moment when we are entitled to expect their restitution. The intention manifested by the Court of Prussia, of provisionally occupying our Saxon states, compels us to forearm our well-founded rights against such a step, and solemnly to protest against the consequences which may be drawn from such a measure.—It is before the Congress of Vienna, and in the face of all Europe, that we discharge this duty, by signing these presents with our hand, and at the same time publicly reiterating the declaration, communicated some time ago to the Allied Courts, that we will never consent to the cession of the States inherited from our ancestors, and that we will never accept any indemnity or equivalent that may be offered to us.

FREDERICK AUGUSTUS.

Given at Frederickfeld, Nov. 4, 1814.

PROVINCIAL INTELLIGENCE.

On Sunday evening an immense congregation was assembled in the Methodist Chapel, in Oldham-street, Manchester, to hear the sermon about to be delivered in commemoration of the late Dr. Coke, who a short time since died on his passage to India, for the purpose of propagating the Gospel. While

the assemblage was awaiting the commencement of the service, which was not to begin for half an hour, a false alarm was raised by some mischievous person, it is supposed, as if the gallery was giving way. The entire crowd rushed immediately towards the outlets with such violence, that several persons were thrown down and trodden upon; among whom were two women, who died a few minutes after. Several persons were severely bruised. The alarm was entirely without foundation, the gallery being perfectly safe.

TUESDAY'S LONDON GAZETTE.

BANKRUPTCY SUPERSEDED.

A. W. Bellairs, Stamford, J. Bellairs, Derby, and G. Bellairs, Leicester, bankers.

BANKRUPTS.

T. Beale, Little Smeaton, Yorkshire, weld-merchant. Attorney, Mr. Blakelock, Serjeant's-Inn, Fleet-street.

J. Robinson, Stockport, corn-factor. Attornies, Messrs. Wright and Pickering, Temple.

W. P. Lorymer, Newport, Monmouthshire, coal-merchant. Attorney, Mr. Platt, New Boswell-court.

R. Holmes, Buckland Monachorum, miller. Attornies, Messrs. Collett, Wimburn, and Collett, Chancery-lane.

E. Sussam, Finsbury-place, tailor. Attornies, Messrs. Alliston, Hundleby, and Poynton, Freeman's-court.

J. Rangecroft, Binfield, Berkshire, grazier. Attorney, Mr. Ashfield, Mark-lane.

W. Cherrington, Cludley, dealer. Attorney, Messrs. Benbow and Alban, Lincoln's-Inn.

G. Rogers, King's-row, Pimlico, bricklayer. Attorney, Mr. Popkin, Dean-street, Soho.

J. White, sen. Cirencester, cutler. Attorney, Mr. Bevir, Cirencester.

J. U. Hawkins, Bermondsey, carpenter. Attorney, Mr. Humphreys, Tokenhouse-yard.

W. Cooke, Chelsea, chemist. Attorney, Mr. Noy, Mincing-lane.

T. Haydon, Mitcham, baker. Attornies, Messrs. Debary, Scudamore, and Currey, Gate-street.

SATURDAY'S LONDON GAZETTE.

BANKRUPTS.

J. Sturge, Clifton Wood, Bristol, professor of music. Attorney, Mr. J. K. Haberfield, Bristol.

W. Wright, Uppingham, Rutland, horse-dealer. Attornies, Messrs. Warren and Churchill, Uppingham.

J. Chapman, Axbridge, Somerset, linen-draper. Attorney, Mr. D. Baynton, Bristol.

A. Kelsey, jun. Fareham, Hampshire, corn-factor. Attornies, Messrs. Minchin and Weddell, Gosport.

W. Gill, Bury St. Edmund's, grocer. Attorney, Mr. Wayman, Bury St. Edmund's.

S. Smith, Berwick-upon-Tweed, mealman. Attorney, Mr. Willoby, Berwick.

H. T. Still, Princes-street, Lambeth, dyer. Attornies, Messrs. Wiltshire and Bolton, Old Broad-street.

J. Hodgkinson and J. Leigh, Liverpool, merchants. Attornies, Messrs. Crump and Lodge, Liverpool.

A. Shepley, Newton, Lancashire, manufacturer. Attorney, Mr. Grundy, Manchester.

S. Pittard, Southampton, shoemaker. Attorney, Mr. Smith, Southampton.

J. Heap, Hepworth, Yorkshire, clothier. Attorney, Mr. Stephenson, Holmfirth.

R. Ashby, Poultry, engraver. Attornies, Messrs. Kearsey and Spurr, Bishopsgate-street-within.

J. Macmichael and Co. Bridgnorth, bankers. Attorney, Mr. Pritchard, Broseley.

W. Bolton, Bory-street, St. James's, plumber. Attornies, Messrs. Richardson and Co. Bury-street.

A. Harrison, Parliament street, linen-draper. Attornies, Messrs. Sweet and Stokes, Basinghall-street.

M. B. and H. Wellington, Crown-street, Soho, opticians. Attornies, Messrs. Tilson and Preston, Coleman-street.

BENEVOLUS must oblige us with his Address before we can comply with his request.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Cons..... shut | Omnium ..... 1$\frac{7}{8}$ dis.

THE EXAMINER.

LONDON, DECEMBER 11.

NOTHING in the shape of a settlement of affairs appears yet in the proceedings of the Continent. The Congress exists in name, but we know not in what else, scarcely even in that; and the Ministers, who have been more particularly requested to look into the affairs of *Poland*, Saxony, &c. are said to have been frightened with the difficulties that crowded before them. In other words, the Allied Monarchs appear to have a grievous hankering after a few possessions *à la Bonaparte*, and do not well know how to set about it:—at every step, there is some memorialist or other ready to remind them of their promises, and to protest against a renewal of aggression; the King of SAXONY, we rejoice to see, has stood out as became him, and published his reasons for so doing; and the voice of the British Parliament, will be found, we trust, to have done a service to the whole world by giving publicity, as it has done, to what may be safely termed the opinions and hearts of all the better part of the civilized community.

In the mean time Saxony remains under the itching fingers of Prussia; Poland is kept in a perpetual tiptoe of alternate alarm and expectation at every movement of the Russian Cabinet; Italy is putting forth her protests, wherever she can find a vent for them, against the renewal of a foreign yoke; Spain is invited to despise its own Court more and more every day by fresh severities against the Patriots and a thousand ridiculous changes and irresolutions on the part of Government; the King of NAPLES appears to keep possession of his throne, partly from a wish to prevent the extension of Bourbon influence, partly, perhaps chiefly, from the fear of driving all Italy into insurrection, and himself into the arms of NAPOLEON;—and France, looking out upon all this, and calling upon the several parties for that good faith and moderation, which it is her present interest, and perhaps the real disposition of her Court, to see preserved, contrives to let them understand that she is still in fine force for a war, and that she shall commence it, if necessary, under much better pretensions than she has of late been accustomed to. With this view, and perhaps also with a feeling that M. CARNOT's advice should be taken, and party-spirit be forgotten as much as possible, some important official changes have lately taken place, and among others, SOULT, Duke of Dalmatia, has been appointed Minister at War.

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Paris Papers arrived yesterday. An article from Vienna, Nov. 25, says:—"France and Bavaria continue, it is said, in favour of Saxony; Austria likewise appears to be of this opinion, but without much warmth. The different parties rely on the support of England. Russia *supports Prussia*, and *demands Saxony*."—(O, the just and amiable ALEXANDER!)—"The Declaration of the King of SAXONY has produced a strong sensation. To the small States in Germany which demand to be admitted to the deliberations of the Germanic Body, it has been insinuated that their *number* and *pretensions* would produce too much delay in the progress of affairs." A pretty reason truly—as if the larger *size* of some States, and their being few in number, gave them the exclusive right to dispose of the affairs and settle the destinies of the smaller and more numerous ones.—The *Chronique du Congress* of the 24th, quotes the following passage from Notes presented by the French Plenipotentiaries. "Is the King of SAXONY guilty? Let him be tried.—Is he innocent? Give him back his Throne."—The same Paper says, "The two great obstacles, Poland and Saxony, have been removed by a Secret Committee." General KOLLER has left Vienna for the Isle of Elba. His mission relates to the claims which are made upon Elba from different quarters.

The Proclamation of Prince REPNIN, declaring the transfer of Saxony, was sanctioned by Russia, but not by England, Austria, France, or Bavaria, who consented merely to a temporary occupation.

"Though no war, as the *Chronicle of the Congress* assures us may take place, menacing demonstrations have been resorted to lately by the negotiating Powers.—Austria has ordered fresh levies; the Russian troops remain in Poland; the Prussian army remains on the full war footing; our force, as well as the Hanoverian and Belgic army in Belgium, has been increased. The French army is completing to the war establishment. One of the ablest of BONAPARTE'S Generals has lately been appointed War Minister, and another General named to the Government of Alsace."—*Courier.*

The *Chronique du Bas Rhine*, printed in Prussia, lately contained a Note on the Debates in the British Parliament. On being inspected by Government it was suppressed, and the Paper ordered to be published with the page that contained the Note, blank.

Letters of the 3d, received yesterday from Paris, state the surrender of General DRUMMOND, with 4000 men, to the Republican General BROWN, at Niagara. Paris Papers, however, of the 3d, and of later dates, are silent as to this event.

MR. CURRAN'S LETTER.—FRANCE.

A letter recently published in Dublin, as from the pen of this Gentleman, excited much attention, as it contained a vehement attack upon the measures of certain Irish politicians. Mr. LUBE, a friend of Mr. CURRAN, has denied the authenticity of the letter in question; and he publicly read one he had received from Mr. CURRAN, and upon which, it should seem, the contradicted letter had been founded. The genuine letter is dated August 31, and concludes in the following manner:—

"I continue to feel an increasing dislike of every thing here. I probably shan't remain long. I have left some things in Ireland unarranged that I must settle, however I may dispose of myself after. England can't arrest me long. I have never found any good in watering places. My malady, a constitutional dejection, accumulated by a life of no little disaster, can hope for no remedy in water or in wine. In general, the benefit of those places is attributed to the attendant temperance; but a person little given to excess any where, has not much to add in that way; and as to evening parties, in a crowd of strangers, I never liked them, nor was fit for them; I have, therefore given my evenings to the Theatres; I prefer them to English, notwithstanding the difficulty of a foreign language. I prefer the style of their Stage to ours. Ours always appeared to me flat and dull, with never more than one or two of tolerable merit. On the contrary, here you never find any very bad. A Comic Nation is perpetually sending young aspirants to Paris, where, of course there can be no dearth. In England, you must put up with what you can get. No doubt, it is hard to find any exact principles of acting. It is, in a great degree, arbitrary and accidental. Still nature will assert certain boundaries. In France there may be bombast and tinsel; and the eternal monotony of amour in their plays, is liable to objections, lying much deeper than the mere criticism of the stage; it goes vitally to the morals and manners of the people; it goes to make the woman a bad sort of man, and the man a bad sort of woman; it goes to take away the solid basis of every virtue of either sex; it leaves the men little to wish—to the women little to bestow; it annihilates the fine spirit of attachment. What can he feel for confidence given on a principle of good breeding? To fascinate there must be no doubt of its being exclusive. When I am writing my bad verses, I would spurn the Muse if I suspected her of whispering the same idea to twenty other poetasters. In the same principle, if you have only a sixty-fourth of a ticket in the Lottery of regard, the Prize is, in fact, a Blank. How can you join in triumph with sixty-three other fortunate Adventurers? still these exhibitions amuse. The acting is flippant and graceful, and the music sometimes excellent. The English, who have no national music, affect to despise French. It is sometimes, perhaps, tinselish, but, I own, it frequently catches my fancy, and even my heart.

"But too much of these topics. I am not sorry for having come hither when I did. Perhaps you see society better when cut into piece-meal, as in anatomy, every thing is laid bare to the student. Perhaps it is seen to great disadvantage. The best lesson that man can learn is toleration, and travelling ought to be the best school. There are many points in which this people must be allowed praise—lively, cheerful, a constitutional philosophy, disposing them to be always satisfied. I wish, as to Government, they could be brought to an anchor. Whether that is to happen, who can tell? Nothing can be more divided than the general sentiment. The higher military men have got safe into harbour, and wish, perhaps, for quiet. All under them must be discontented; long arrears due. They cannot employ them abroad for want of money, and, when the devil is raised and can't be kept in work—we know the story. The favour to Bonaparte is

the more singular, because, allowing for his extraordinary energy, I doubt if he had a single great quality. It is clear he was no Statesman; force alone was sufficient for all he did. Men here of the best authority pronounce him a man of uncommon energy in action, but of no talent for retreat. The question is of more curiosity than moment. If otherwise, it might not be easy to prove what credit to give to these criticisms.

"At last we have got our passports, and ordered a carriage for to-morrow. We shall go by Dieppe; neither my fellow-traveller nor myself in the best health or spirits. I have a great kindness for him, though no human beings can be more different. I don't think diversity is incompatible with friendship or affection; but strong contrariety, I fear, is. How differeat are they from the volatility of France—as well as from the loud, ardent, indiscreet vehemence of our poor people!—Certainly, it is not mere interest that forms the weight to the clock, though the utter want of any regulating power makes it a sad time-piece; but I consider it now as nearly a *conclamatum est*, and the Insurrection Act little other than a monumental inscription.

"*London, Tuesday.*

"*A new Venue.*—After a day spent at Dieppe, we sailed, and after forty hours, landed at Brighton. I don't like the state of my health. If it was merely *maladie*, under sailing orders for the undiscovered country, I should not quarrel with the passport. There is nothing gloomy in my religious impressions, though I trust they are not shallow. I might have been better—I know, also, that others have been as blameable—and I have rather a cheerful reliance upon mercy, than an abject fear of justice; or, were it otherwise, I have a much greater fear of suffering than of death.

"I had almost made up my mind to bestow a citizen to France, and I am mortified at finding any drag upon the intention; yet a drag there is. I have no doubt that revolution has thrown that country a century back. Yet she has qualities that might have hoped a better destiny. It has been suggested to me that winter in Paris might answer better.

"I just now, Wednesday, return from a long conversation with the truly Royal Personage, who saves you the postage of this. A few days must, I now think, take me across. I think of meeting some persons at Cheltenham. As to waters, I suspect they are seldom of use—I am quite decided against them, till Charon pledges me on the Styx. Yours, very truly, "J. P. Curran."

"*To D. G. Lube, Esq.* 186, *Great Britain-street, Dublin.*

"Franked—Sussex."

The Carlton-house Journal seems quite hurt that the Princess of Wales should pay a visit to such a person as Murat! To be sure, King Joachim is neither a feeble, a spendthrift, nor a drunkard; neither has he ill-treated his wife, nor perhaps encouraged a profligate Parson to beplaster him with vulgar praise. All this certainly proves that Joachim is not yet learned in the ways of some "legitimate Princes:" but yet the man, we really think, ought not to be utterly despised on *that* account. His turning his back on his old friends, one should have thought, would have gotten him a little favour; but no; he has, it is said, some respect for the people, and is not entirely free from other such vulgar propensities—Oh, the base-born wretch!

Christophe issued on the 20th of October last a Manifesto, asserting the liberty and independence of the people of St. Domingo, and solemnly pledging himself and the whole of the population under his dominion, to suffer death rather than submit to the introduction and establishment of any foreign authority. The crimes, the perfidies, and the outrages of Bonaparte, form the ground-work of this Paper. The Manifesto does not scruple to express a hope, not marked, indeed, with any extraordinary confidence, that the independence of Hayti will be recognised by Louis XVIII.—At the Cape there are about 5000 infantry, and 1500 cavalry, with a very good park of artillery. The whole of the regular military establishment is calculated at 22,000 men, and the militia is said to consist of 33,000. Fort Henry, or the citadel of Christophe, is a stupendous work, and appears impregnable. It is secured by its extraordinary elevation from any sudden attack: its fortifications are constructed with great skill, and amply provided with water within; it is supplied with provisions and ammunition for six thousand men for two years.

The weak and puerile prejudice that America is beneath the attention of our chief military men, is, we may now believe, eradicated: and even the Generals who have reaped such an abundant harvest of laurels in Spain, will be ashamed to loiter at home in inglorious ease, whilst their country needs their efforts. Indeed, the nation will not endure, that the command shall be given on principles of jobbing or favouritism. Too deeply have we felt the disgrace of being beaten by land and water in the last campaign, to tolerate the chance of similar indignities in the next. Besides, we daily see stronger reasons for a hot and short war, when we contemplate the wasting effect of dilatoriness. Our battalions suffer much from disease, but much more from *desertion*. The temptations to this crime which the Americans offer are too strong to be resisted by numbers of our soldiery. We must not shut our eyes to the fallibility of human nature, to the influence of example, to the strength of allurement. The best, the only way to keep the soldier to his colours, is to place him under a Commander to whom he can look up with pride and confidence, and who will lead him into active and continuous service throughout a whole campaign.—*Times*.

Yesterday in the Sheriff's Court, came on, at twelve, the assessment of damages in the interesting case of the Earl of Rosebery *v.* Sir H. Mildmay, the defendant having suffered judgment to go by default. Damages were laid at 30,000*l*.—The Attorney-General described the case as one of more than ordinary atrocity, from the near relationship of the plaintiff and defendant. The former was of an amiable character, and his conduct to Lady Roseberry in the highest degree exemplary. She had produced him four children. Her sister was married to the defendant. A warm friendship existed between the parties, but the defendant had been forbidden the plaintiff's house in consequence of the difference in the behaviour of his wife, occasioned by Sir H. Mildmay's attentions during his absence from home. Mr. Primrose, however, in July last, discovered the guilty parties in a room in the plaintiff's-house, when he compelled Sir H. who was armed with pistols, to leave the house, and next morning Lady Roseberry was sent home to her father. Various letters from Sir H. were produced, proving the adulterous intercourse, and imploring Lady R. to elope.—Mr. Brougham was engaged for the defendant. The trial was not expected to terminate till after this Paper went to Press.

Thursday last the New Lunatic Asylum of Glasgow was formally opened. This is the most magnificent building of the kind in Scotland, and cost nearly 20,000*l.*

Tuesday, the Lord Mayor ordered the price of bread to be raised half an assize; the quartern loaf 1*s.* 0½*d*, and household 11*d.*

That poor deluded and deluding woman, Joanna Southcott, is said to be in a desperate state of health. Every day that passes more and more confirms the opinion of Dr. Syms. What does Dr. Reece think? What says the Rev. Doctor Tozer?

A Correspondent insists, that "had the promised Shiloh been born, it would have overturned the established Creed, which (he says) would have been a very shocking thing indeed."—The question, we think, will admit of debate.

While Mrs. Southcott is amusing the *Believers* in England with repeated postponements of her birth, an Irishwoman has, without calling in a miracle to her aid, or making any noise about the matter, proved to the world that there is no fixed limit for the fruitfulness of advanced age. Mrs. Mason, who is 58 years of age, was, a few days since, safely delivered of a son! She is the wife of a calico-printer (a Scotsman) residing near Drumcondre. It is not a little remarkable that it was ten years since she had a child before; but the most extraordinary circumstance is, that Nature denied the mother the accustomed support for her offspring. In this dilemma, her daughter, who had been brought to bed about a month, and whose child had died, offered her assistance, and is now nursing her young *brother!* It will also excite much surprise, and afford a subject of curiosity among the medical men, that Mrs. Mason, after her late delivery, recovered her hearing, of which she had been previously deprived for a long time. —*Dublin Paper.*

A Correspondent observes, that according to the celebrated Montesquieu, "We should reverence the Deity, but never attempt to avenge his wrongs."—The Makers of the laws, however, in most Christian States, seem to think that the Supreme is unable to punish those who offend him, and they therefore most generously step in with their penalties in his behalf! Inquisitors, whether papal or protestant, find it often a much easier task to imprison a man than to reply to his arguments. Yet this is called an enlightened and a tolerant age!

At the close of the session (Old Bailey) on Thursday, the Recorder passed sentence of death on the following prisoners:—

J. Burkitt, alias Gale, J. Leary, William Greene, John Hedger, Eliz. Phipps, Thomas James, and Mary Cowley—for stealing in dwelling-houses to the amount of 40*s.* and upwards; Charlotte Stanley, alias Miller, Mary Ruscombe, alias Miller, and Mary Russell—for feloniously uttering counterfeit money, having before been convicted as common utterers of base coin; Patrick Nolan, alias Down, John Angler, Thomas Hassin, and Joseph Hoare, alias Walters—for burglary; Catharine Frere, Elizabeth Benham, and George Macmanus—for stealing privately in shops, to the amount of 40*s.* and upwards; Joseph Segrim—for highway robbery; George White for forgery; Robert Roberts, for cutting and maiming; Robert Turnbull, for stealing goods, to the value of 11*l.* from a wharf adjoining the river Thames. William Rice and Henry Chapman were sentenced to be transported for life; Gavin Turner, Stephen Cullen, Thomas Hatfield, and John Hatfield, to be transported for 14 years.

KING'S ILLNESS.

On Sunday the public Monthly Report of the Physicians attending his Majesty was exhibited at James's Palace:—

"*Windsor Castle, Dec. 3.*

"His Majesty has been uniformly composed through the last month, but without any alteration in the state of his disorder.

"H. Halford, M. Baillie,
W. Heberden, R. Willis."

THE EMPEROR NAPOLEON.

"We know that the following anecdotes are authentic:—About the beginning of last summer, Major ——— had the curiosity to make his way to Porto Ferrajo, in the Isle of Elba, and, announcing himself as an English Officer, was introduced to Bonaparte. After the audience, to his no small gratification, he received the Ex-Sovereign's commands to dine with him. Major ——— describes the banquet as exhibiting almost more than Imperial splendour; but his attention was chiefly directed towards his celebrated entertainer. He describes him as being not tranquil merely, but jovial, free, open, and communicative; not entering upon political or military discussions, neither seeming to avoid them; in short, much resembling our illustrious Pitt, who, when out of office, is well known to have deported himself in a style of carelessness and gaiety, that quite astonished those who had only seen him with the cares of an Empire upon his shoulders. It is certain that Bonaparte, during the whole of the evening, exhibited no symptoms that indicated a perturbed or desponding mind; on the contrary, he talked and listened complacently, and seemingly without effort, always addressing the English who were present with marked distinction. As the night wore, he became yet more joyous, singing various *chansons a boire* with much animation, and in excellent taste. The party, contrary to the usual custom of France, was kept alive from dinner, without interruption, till about eleven, when it broke up.—Within the last two months the Hon. Mr. S——n, son of the Earl of S. was also seized with a desire to visit the dethroned Sovereign, and accordingly repaired to Elba. At that period, access had become somewhat less easy to his presence, Mr. S——n being told upon applying to one of the General Officers, that he was not quite sure whether his Master would choose to receive him, but that he would inquire, and desired him to return in two hours for his determination. At the expiration of this interval, he was told that the Emperor would receive him in the evening. About ten o'clock he was conducted into a garden, where he found Bonaparte walking, by moonlight. He accosted the Ex-Prince with due reverence, and was received with great politeness. At Bonaparte's motion, they continued to walk in the garden during the interview. All the particulars of the conversation that followed I have not learned. But one part of it cannot be forgotten. Bonaparte had introduced the subject of England, and, after various remarks, he said, "Well, Sir, I think I shall visit England one of these days. I had some thoughts of being in London (smiling) a few years since, but I am much more in earnest now." The audience lasted for about half an hour, when Mr. S—n took his leave." —*Dublin Evening Post.*

COURT AND FASHIONABLES.

The Treasury (or perhaps we should say Admiralty) Journal, as usual, attacks "the Party," because we called the attention of our readers to what passed in Parliament regarding the Princess Charlotte. The charge is, that the Opposition are attempting to stir up dissension between father and daughter. A more silly and groundless imputation never was attempted to be cast. The writer is quite aware of its being groundless, just as he is as well convinced that his own account of the "united establishment," and the reasons for it, is a mere fiction of his own brain. The Princess, it seems, must live in

Carlton House, in order to be constantly near her Royal Father, and to "imbibe from him lessons of Government, that cannot but conduce to the prosperity and glory of the country."—Really this is pretty well. How many of these lessons, will the *Courier* be pleased to inform us, has her Royal Highness had the opportunity of receiving? How many times within the last twelvemonths has she seen her Illustrious Tutor in the art of wise and glorious Government? Since the union of the two establishments, the *sinking* of her Royal Highness's in that of Carlton House, which "must be viewed with the greatest satisfaction by the country," as affording scope for the display of "that mutual affection so well known" to subsist between the Illustrious Parties,—since that period, it is notorious that the Princess has never been under the same roof with her Father. She has been "imbibing lessons of government" (Query—Self-government?—patience) at Cranbourne; and, after an unaccountable delay, she was sent to imbibe the sea-air (and we rejoice to hear with great benefit to her health) at Weymouth. But any political instruction from the Illustrious Regent she cannot have had—at least none except through the medium of the General Post-Office—which might as well be continued to her were she to have a separate establishment, and in much the same way, only that probably the Twopenny Post would then be employed on this interesting occasion, to "speed the wise intercourse." But even before the journey to Cranbourne, and while her Royal Highness was in Warwick House, close to her Father's residence, will the *Courier* be pleased to say how many times they met for the last six months? If it is positively asserted that six interviews took place, we shall begin to think there is something in this new argument for allowing the Heiress Presumptive at nineteen no household.—It is to be observed, that her Royal Highness, residing under the roof of her Father affords no reason for the Minister refusing to answer a very plain question, which we now repeat—Has any portion, however scanty, of the very scanty portion of her income formerly allotted to her own personal use, ever been given to her Royal Highness since the quarter before she left Warwick House? Aye or No. In a word, has her Royal Highness's allowance of pocket-money been stopt since that time; and *by what means* has she been obliged to obtain enough to pay pressing tradesmen's bills and poor pensioners? These are very plain questions, and it is as easy to answer them as to rail at "the Party." One should think the Prince Regent is in reality as ill supported by his Ministers out of Parliament as in their places. Neither he nor his true friends would so defend his proceedings. We trust he may one day be in the hands of abler and more faithful advisers.—*Morn. Chronicle.*

The Duke and Duchess of Cumberland are expected in England in about a month. Preparations are making for them; and we understand his Royal Highness's house, at Kew, is repairing for their reception.

FINE ARTS.

PICTURESQUE DELINEATION OF THE SOUTHERN COAST OF ENGLAND; ENGRAVED BY W. B. AND J. COOKE.

Engraving is in the highest class of manual and mechanical skill: but it is much more. It is closely allied to that nobler order of talent, which charms the fancy by a faithful and lively display of the beauties of Nature; for it is not, in many essential respects, only a transfer or copy of what is previously supplied by the Painter. The subject as to outline, to light and shade, to invention as relating to composition, and to mental character, is certainly only copied by the ingenious hand of the Engraver: but almost all that belongs to that highly important part,—the superficies of objects,—so infinitely various in their appearance, and which require so keen and discriminating an apprehension, so just and so delicate a practical taste, is the exclusive boast of the Engraver's Art. Here he is original. Here he requires a taste and talent far superior to the abilities of a Painter of mediocrity; for to this original impression and practical display of the diversified surface of Nature, he must add what certainly a second-rate Painter never does, a perfect relish of her beauties, without which he never could justly express them with such apparently inadequate materials as a graver and a sheet of copper. We indulge in this eulogium of Engraving, for the purpose of shewing how unjust, nay, how impertinent, are those Painters, who are in the habit of depreciating the Art of the Engraver in a supercilious comparison with their own; and also to pay due homage to the elegantly displayed industry of the two Gentlemen, whose names honour this article. They have lately issued a new part,—part 4, of the *Picturesque Delineations of our Southern Coast*, from admirable Drawings by the Academician Turner, Messrs. Alexander, Clennell, and Francia, representing *Corfe Castle*, *Lyme Regis*, *Carisbrook Castle*, and *Worthing Point*, with the *Newhaven Life-boat*. One square inch of these Engravings shews more intelligence of Nature, more efficient appropriation of the Engraver's means to the true end, than is found in the greater part of many preceding Prints. The value of the noblest collection of Engravings would be much enhanced by their addition.—How contemptible are the drones of the State, when considered simply in their own uncontrasted insignificance of laziness and luxury; but how glaringly insignificant are those hangers-on of Government, those mean pensioners on the purses of every poor man who pays a tax, those unblushing receivers of thousands, and doers of little or nothing in return,—those Addens and Canningses, when contrasted with Artists, whose industrious and elegant occupation so amply earns every reward they can receive; whose works add to the stock of commercial wealth, and what is still better, to the intellectual riches of the country.

The veteran Artist, Milton, who distinguished himself many years since by exquisitely engraved Views in Ireland, has just finished a capital Print from a Painting by Wicuello. Its masterly boldness tempered by delicacy, and its characteristic touches and strokes throughout, give it a rank among the best Engraved Landscapes. We mention thus cursorily its merits with the greater pleasure, from the rare appearance of first rate Prints on so large a scale as this, for it is of the large Woollett dimensions.

Mr. Meadi's large-sized Portrait, engraved from Mr. Hone's Painting of the Duke of Wellington, and Mr. Nollekin's Bust, is executed with much neatness and fidelity, and is, we understand, an excellent likeness.

R. H.

ROBBERY OF LORD OXFORD.

Our letters from Paris are full of the arrest and robbery of Lord Oxford. It is quite idle to affect that it was not done by order of Government. At the first post from Paris (Ville Juif), the Commissary of Police, Carninge, had been in waiting for him between three and four hours. On his approach he accosted him with great civility, and requested him to alight from his carriage, as he had an order to take possession of his papers. The Noble Lord remonstrated against the violence, but in vain. He was obliged to deliver up all his papers. M. Carninge then

told him he was at liberty to pursue his route to Italy; but the Noble Earl returned to Paris and made his complaint to the Duke of Wellington, but no redress was given him. Various conjectures have been formed as to the cause of this proceeding. It is known that the Noble Lord was charged by King Joachim with a mission to England, no doubt to set forth his pretensions to the fulfillment of the engagement of honour which was entered into with him by Lord W. Bentinck, when his services and co-operation were considered by the Allied Sovereigns as so material to the success of their enterprise against Napoleon. He is known to have demanded and obtained an audience of the Prince Regent at Brighton, as a Peer of the Realm, and to have laid before his Royal Highness a memorial and document, stating the confidence that Murat had in the hitherto unspotted honour of England—and that his having trusted to her honour, and not having the engagement reduced into the form of a solemn treaty, gave him additional claims to the exact performance of the stipulations—and that the papers were understood further to set forth the immense advantages that would accrue, not merely to Italy itself, but to England, from the arrangements which he had in contemplation, and which, with the countenance of England, would forthwith carried into execution. All this is perfectly known. What reception he got, or what answers the Noble Lord was carrying back, is not known to the public: but were they unknown to the French Government? This has become the subject of universal conversation in Paris, and it is of consequence here also; because if this seizure was made without the concurrence of the English Ambassador, it would bespeak a jealousy between the two Courts, not favourable to tranquillity. And it is asked, what motive could the English have in this proceeding, as they must already know the tenor of all his papers. The best-founded conjecture is, that the Noble Earl might have been indiscreet enough to take charge of letters from Italians in Paris, suspected to be in intelligence with the Exile in Elba, and that it was the object of the Police to discover their names. Certain it is, that more than the ordinary precautions were taken in Paris immediately afterwards. On the evening of the 30th November, the gates of the Thuilleries were shut before the usual hour; ball-cartridges were delivered out to the Guards, and they were kept in readiness the whole night, as if some movement had been expected; but all remained perfectly quiet.—*Morning Chronicle.*

MONUMENT TO THE LATE LORD MELVILLE.

It does not, we believe, excite general attention, and perhaps it is as well that it should not excite it, that subscriptions are now raising in the Navy, in order to erect a monument to the late Lord Melville. We were willing to have let the errors of that personage die with him: neither should we have objected, if people in civil life, who conscientiously entertain a different notion of his merits from ourselves and the British nation at large, had thought it proper to mark their sentiments by some such homage of respect as that now noticed. But what seaman would dare to refuse the sacrifice of a week's pay, if the Captain and Officers recommended it?—What Officer would withhold his subscription, if the Captain advised it? And it is so obvious that it needs no explanation, how a Captain would be looked upon, who should fail in obtaining the subscription of his ship's company. The whole is, therefore, mere matter of routine; and we should be glad to hear, that those who have originated the scheme, whether prompted by servility on the one side, or a misjudging sentiment of piety on the other, would relinquish it. We were sorry to hear, that before the late visitation of the Dock-yards, printed papers were plaistered up, and left at the Bankers', inviting the officers and men to subscribe; with which invitation many complied, as they acknowledged in private companies, from the vulgar hope of currying favour: but we can never sufficiently reprehend the principle, of calling upon men who must obey, to act as if they were free deliberative characters. A subscription raised in the British Navy, on such an occasion, is no more a test of the opinion of the Navy, respecting the propriety of the object for which the money is subscribed, than obedience to an order to lower topsails, or to let go the anchor, is a proof of the propriety of the order in the estimation of the ships' companies who obey it.—Surely that man can never be the proper object of such a testimony of public gratitude, of whose public life the world is afraid to speak, even in the way of mere historical relation, from a sentiment of tenderness towards the feelings of his surviving relatives. The truth is,—for we shall speak freely what every one says privately,—that of all the disgraces heaped upon the memory of the late Lord Melville, the proposed monument is the greatest; and to prove this, let any man merely put the facts as they nakedly exist in the inscription upon that monument, and see what an indelible sarcasm the simple truth contains,—"That a monument was raised to the father, by the Navy, during the time that the son was at the head of it!"—Is this honour, and glory, and gratitude, to a benefactor?—We repel with the strongest asseveration, the charge of seeking to say any thing personally offensive to the present Lord Melville, toward whom we entertain no other sentiment than that of respect. Every feeling man must pity the situation in which the servility of cringing knaves has placed him by this disgusting mode of paying their court; but we are conscious that in supplying his Lordship with an excuse for declining the proffered homage, at least till he is no longer first Lord of the Admiralty, we are affording him the means of pursuing a course most conducive to his own fame, and that of his deceased father.—*Times.*

ITALIAN OPERA.

November 30, 1814.

Mr. Examiner,—The admirers of instrumental music being about to be deprived at the Italian Opera of the talents of Mr. Weichsel, I beg leave, as an amateur of that Gentleman's professional ability, to lay before you a concise statement of the principle that has produced, and of the reasons that have been alleged, for disturbing the internal arrangement of an orchestra which, under its former leader, has so often been honoured with the unbought applause of the *Examiner*. The unobtrusiveness of genuine merit may, I fear, induce Mr. Weichsel to forbear appealing even to the *Examiner*, of whose flattering approbation I have frequently heard him testify the deepest sense; and I have therefore another motive for assuming to myself the office of imparting to you the following facts:—

The custom of the English Theatres, and certainly the practice of the Opera House, has always been to give notice, at the close of the season, to *any* performer whose ser-

vices it was intended to dispense with. Mr. Weichsel, however, after having presided for 12 years in the orchestra of the King's Theatre, certainly with the reputation of unrivalled powers, received, only on Saturday last, intimation that he was removed from his situation, it being stated to him, at the same time, that the leniency of his controul over the members of the Band had, under Mr. Waters's management, been construed into a fault that demanded his being superseded. As explanatory of this reason, it is necessary to say, that, under all former managements, it had been found proper to allow of the Leader's granting occasional leave of absence to the members of the Band, on their procuring approved substitutes, the pay of the Theatre not admitting of performers, such as Holmes, Lindley, Ashe, &c. devoting their whole time to the Opera, unless a night or two's absence was allowed them in the course of the season, when they are frequently enabled, by attending a Country Meeting, to gain a sum equal to half their stipends at the Opera. The injustice, therefore, of attaching blame to Mr. Weichsel, for merely continuing so grant them necessary and customary indulgences, will be peculiarly manifest, when it is known that the sanction of the new Manager accompanied each particular leave of absence during the last season. The fact, however, to which I would most particularly solicit your attention, is the adoption, by the present Manager, of a system suggested by certain foreigners (one of whom, the Soidisant Chevalier La Caina, has been lately appointed by the Regent, as a reward for services of some description or other, to the situation of *British* Consul at Nice), the object of which is the exclusion of native British talent from all employment at the King's Theatre, particularly from the department of the orchestra; with a view to effect which, the substitution of a foreigner in the place of Mr. Weichsel is a preliminary step, the latter having been frequently heard to declare, that he would pledge himself to compose an orchestra *solely of British Artists*, equal to any the Continent could produce. As a further demonstration that the principle alluded to is rapidly carrying into execution, it may be right to state, that the importation of foreigners to fill situations in the *corps de ballet* and *chorus*, will seriously injure the young people who, unfortunately for themselves, were *brought up in the Theatre* to fill those situations which, certainly, incapacitate them for other occupations.

I will now leave the case of Mr. Weichsel, and of those over whom he has so long presided, whose interests, I know, to be dearer to him than his own, in the hands of a public ever willing to maintain the cause of genius, and to prove itself ready to stimulate, by its well-judging approbation, the exertions of native talent.

AN AMATEUR.

CITY.

THE PROPERTY TAX.

On Friday, at a Court of Common Council, Mr. WAITHMAN made various observations on the subject of this detestable Tax, with which the nation is still threatened. He said, that, with respect to its operation, it had been grievously felt by various classes of society. The landed property, indeed, which complained that it compelled an exposure of the amount of property often highly injurious, had found relief; but how was it with regard to the trading interest? All the heaviest consequences of the war had fallen upon that body, and none heavier than the Property Tax. *(Hear, hear!)* A man engaged in trade, subject to all those fluctuations that attend upon mercantile pursuits, might be worth 100,000*l.* more in one year than in another; and was it not a dreadful evil, one not to be borne in a free country, that an individual, whose misfortunes, perhaps, had shaken his property to its very centre, who, bowed down by his calamities, was afraid almost to look his very family in the face, that he should be dragged before the Commissioners to disclose his distresses, to unfold his poverty, to proclaim his wretchedness, in order to be exempt from the provisions of this most iniquitous Tax? *(Hear, hear!)* Where trade was carried on to any great extent, it might happen that the losses of one year exceeded the profits of seven, and yet the trader must pay the Income Tax to the ruin of his family. In cases of bankruptcy, the injustice of the tax was equally evident. In many of those banking-houses which had failed, the different partners had been paying perhaps to the Property Tax, individually, for incomes at the rate of two or three thousand a year, from the style in which they lived, and the appearances they kept up. The period of peace had now arrived, and after having severely endured the evils of war, after having patiently borne those burthens which the necessities of the time imposed, they had now a just right to look forward to a relief from their taxes. No scheme, however, had yet been introduced to accomplish that end; nothing was held out that promised the accomplishment of it; but, on the contrary, an intimation that our burthens would be continued. Now, therefore, was the time for the people to speak, as Parliament would not receive any Petitions against a Money Bill when once brought in; it was their bounden duty to do so; and if the whole people would stand forth with one voice and one heart to the cause, where was the Minister who dare to persist in defiance of the universal appeal? *(Hear, hear!)* He should not trouble the Court with any more observations, but should submit to it a series of Resolutions:—

"Resolved unanimously, That it appears to this Court that the Tax upon Income, commonly called the Property Tax, was, under circumstances of peculiar national difficulty, resorted to as a War Tax only, and its enactment accompanied with the most solemn provisions that the same should finally cease at a limited period after the termination of the then existing hostilities.

"Resolved unanimously, That this Court has nevertheless strong reasons to apprehend, that it is in the contemplation of his Majesty's Ministers to attempt the continuation or renewal of the said Tax, after its legal expiration, on the 6th day of April next.

"Resolved unanimously, That this Court did, upon the first introduction of the Tax, declare, and has since repeatedly expressed, their abhorrence of a system which appeared to them no less partial and oppressive in its operation, than repugnant to the free principles of the British Constitution—partial and oppressive, inasmuch as no distinction is made between Annuities, the precarious and fluctuating incomes arising from Trade and other uncertain sources, and the incomes derived from fixed and permanent Property—repugnant to the free principles of the British Constitution, inasmuch as it establishes an odious and inquisitorial tribunal of Commissioners, before whom individuals are compelled to submit to the most degrading exposure of their private concerns and circumstances, and against whose arbitrary decisions, however unjust, they have neither remedy nor appeal.

"Resolved unanimously, That without attempting to detail the numerous evils resulting from such a system, it is evident that, rather than undergo such an exposure of their affairs, persons in an embarrassed or insolvent state will necessarily submit to any assessment, however unjust, to the great injury of their creditors, and the utter ruin of themselves and families.

"Resolved unanimously, That the nature and character of such an Inquisition cannot be better described than on the authority of the Author of the Wealth of Nations, who observes, that "an inquisition into every man's private circumstances, and an inquisition which, in order to accommodate the Tax to them, watched over all the fluctuations of his fortune, would

be a source of such continual and endless vexation as no people could support.

"Resolved unanimously, That experience has sufficiently evinced the truth of this opinion, and such has been the vexation, injustice, and oppression, resulting from the arbitrary and rigorous exactions under this novel and hateful system, that it has at length become altogether insupportable.

"Resolved unanimously, That the continuance of such a system, under any modifications, more especially at a time when the people are anxiously looking for relief from the burthens and privations of war, and with equal anxiety anticipating reform and retrenchment in the national expenditure, would, in the opinion of this Court, be highly irritating, and no less dangerous to the State than harassing and oppressive to the people.

"Resolved unanimously, That a Petition be presented to the Honourable the House of Commons, praying them to reject any proposition that may be introduced for the purpose of continuing or renewing, under any modification, the said Tax on Property.

"Resolved unanimously, That this Court do earnestly recommend that Meetings be held in the several Wards throughout this City, for the purpose of petitioning Parliament against the continuance or renewal of the said Tax.

"Resolved unanimously, That this Court do also recommend that Meetings be held in all the different counties, cities, and towns throughout the kingdom, for the same purpose. And a draft of a Petition, prepared agreeably to the foregoing Resolutions, was read, agreed to, and ordered to be fairly transcribed, and signed by the Town Clerk, and presented to the Honourable House of Commons by the Sheriffs, attended by the Remembrancer.

"Resolved unanimously, That this Court doth request the Representatives of this City, and such other Members of this Court as have seats in Parliament, to support the prayer of the said Petition in the Honourable House of Commons."

Mr. Alderman WOOD seconded the motions, and expressed his thorough abhorrence of the principle of the Tax.

Mr. S. DIXON suggested the omission of that part of the Resolution which seemed to imply that it was the intention of Government to continue the Tax, and whether it would not be better to defer any interference till the matter came before Parliament. (*Cries of No, no!*)

Mr. GRIFFITHS supported the motions.

Mr. FAVELL said he was certain, that if in 1792, it could have been known that in 1798 such a Tax as the Property Tax would be proposed, it would have been impossible to have wrought upon the feelings of the country so as to have made it willing to go to war.—Now, therefore, was the time for the nation to express its sentiments, and to express them decidedly, for such a breach of public faith be imagined must unite all parties.

Mr. Alderman HEYGATE said, the whole of the ordinary revenue of the state, except about one million, was occupied in paying the dividends to the stockholders and by the Sinking Fund. What then was to provide for the other expences of Government, and for the American war? It would be, he replied, perhaps the War Taxes. They amounted to 21,000,000l. of which the Property Tax contributed about 14,000,000l. and if that Tax were done away, only 7,000,000l. would remain applicable to the wants of the Government. They deceived themselves, therefore, if they thought they could get rid of the Property Tax till they got rid of the American war—a war which was no longer carried on upon the grounds which led to its commencement, but as appeared from what had been published in the American newspapers, relative to the proceedings at Ghent, for the purpose of territorial aggrandizement. Now was it worth while to burden themselves and their posterity with fresh burdens, for such a war? (*Hear, hear.*)

Sir W. CURTIS thought the tax was quite as oppressive and grievous as it had been described; but it was a tax of necessity, and if it had never been imposed, he had no doubt we should never have been elevated to the exalted rank which we now occupy as a nation. It was true, he had heard, that it was intended to continue the whole or a part of it, and he feared that unless that tax was levied, it would be impossible to pay the debts which the exigencies of the war had obliged us to contract, or if it were continued the Parliament would be obliged to find some other taxes which would, perhaps, be more injurious to the mass of the people—(*cries of no, no!*) The Property Tax did not fall with peculiar hardship on the poor, it fell on people of property—he felt it severely himself (*a laugh*), and of course he had no particular predilection for a tax that fell on himself; but he had submitted to it, in common with others, and had been requited by the conclusion of peace with the powers of the Continent. He agreed with the Worthy Alderman, who had preceded him, in wishing for peace with the Americans, but he should be glad, if possible, to see them first confoundedly well flogged (*a laugh*).

The Resolutions were agreed to by a most universal show of hands, without any opposition.—A draught of the Petition to be presented to the House of Commons was read and agreed to, and it was ordered that it be presented by the Sheriffs, and that such Members of the Court as had seats in the House of Commons, be requested to support the prayer of the same.

Mr. George Dance, the City Surveyor, resigned that situation.—Adjourned.

BANKRUPT SYSTEM.

TO THE RIGHT HON. LORD ELDON, LORD HIGH CHANCELLOR, &c. &c.

MY LORD,—I would to God there was no further occasion for my addressing your Lordship in this uncommon, and, to me, most painful manner! I implore your Lordship to order a due inquiry into the circumstances which have produced it; and to relieve me from a situation in which, it is possible, I may be censured for pursuing a mode that events have left me no alternative but to persevere in, till justice takes place, or it may please God to remove me from the conscious evidence of this scene of iniquity. The following are copies of letters I have written to the present Solicitor and the Commissioners: I have received no answers:—

(*Copy.*) *Re Townsend. Mr.* ——, *Solicitor to the Assignees, &c.*

SIR,—Upon looking over the accounts and papers in my possession, I have referred to the copies of the Bills of Costs of the several Solicitors and the Messenger, and I find them (exclusive of the first Solicitor's bill, 301*l.* 14*s.* 9*d.* which was paid without taxing) as follows, viz.:—second Solicitor's bill, (not taxed) 99*l.* 2*s.* 10*d.*;—third Solicitor's bill, 40*l.* 3*s.* 10*d.* (not taxed);—fourth Solicitor's bill, of which I have no particulars, suppose about 50*l.*;—Messenger's bill to 4th July, 1810, 62*l.* 11*s.* 10*d.*;—my Solicitors taxed costs about 200*l.*; which, with the Messenger's bill, have long since been paid by the Estate. Omitting the bill of the first Solicitor, the five last sums amount to 450*l.* upwards, which it is true would be reduced by the taxation of the three first; but it is impossible the taxing would reduce this amount to 199*l.* (being the amount of only one bill *already taxed*) in the draft you shewed me of the Petition now pending against the first Assignee for costs.

This I should be obliged to you to give me an explanation of; and you are sufficiently acquainted with the authority given me by a large portion of the Creditors, to look into these matters, as well as my own right to do so, that I need not trouble you with any motive or reason for the application, which I prefer making in writing, to avoid any unpleasant observations, such as I have before experienced. I shall send a copy of this to the Commissioners to-morrow, to Guildhall, and if I have not a satisfactory answer on the subject by Wednesday next, I shall submit it to the Lord Chancellor through a public medium—the only means I have at present of introducing my representations to his Lordship's notice. I would ask, have the Assignees (*for there are two who, according to the Chancellor's orders, are subject to costs*) been paid the last

dividend upon their debts? I choose to avoid using names, as I do not wish to prejudice or offend any individual; the accounts in your possession afford ample explanation. I am, Sir, your obedient servant, (Signed) EDM. TOWNSEND. 8, Chalton-street, Somers' Town, 2d Dec. 1814.—P. S. I should be glad to be favoured with a copy of what proofs have been made since you have been Solicitor.

(*Copy.*) *To the Commissioners in the Commission of Bankrupt against Edmund Townsend, &c.*

GENTLEMEN,—I will intrude no further than to hand you the copy of a letter I have thought it right to send to Mr. ——, the present Solicitor to the Assignees. I am, Gentlemen, with due respect, your most obedient servant, (Signed) EDMUND TOWNSEND, 8, Chalton-street, Somers' Town, Saturday, Dec. 3, 1814.

I shall trouble your Lordship at another time with particulars of the different delays, from whence the enormous expences have arisen, and the cause of them; and I trust your Lordship will be pleased to give the whole case such a revision in your mind as will induce your Lordship *not* to suffer it to remain *uninvestigated*, on record—a precedent of practice in Bankruptcy, in your Lordship's legal administration. I remain most dutifully and truly, my Lord, your Lordship's very devoted servant,

EDM. TOWNSEND.

Chalton-street, Somers' Town, Dec. 8, 1814.

LAW.

COURT OF CHANCERY.

On Wednesday, Mr. SHADWELL moved, on the petition of the nearest friend of Miss Ann Wade, heiress and a ward of Chancery, 17 years of age, but possessed of an income of 5,000*l.* a year in her own right, for process of contempt against Charles H. Baseley, son of the Rev. Mr. Baseley, and his associates, for breach of an order and injunction issued heretofore, to restrain the said C. H. Baseley, from prosecuting his illicit courtship with the ward. There were previous and private proceedings before the Chancellor, to prevent such unlawful intended union, when the case was discovered approximating to matrimony, and the order prohibited further intercourse, either in person or by letter; but the lover had conveyed a letter through the maid-servant to the lady, and had offered a bribe of one thousand pounds to a Bow-street officer for his assistance in gaining possession of her in violation of the order of Court. The letter was produced and read: but an obstacle occurred to the motion, on want of proof of the handwriting, which induced the Chancellor to direct inquiry to be made for the late school-fellows of Mr. B. to prove the handwriting, or among tradesmen supplying him with articles of necessaries, from whom the required evidence could easily be found, and the motion was suspended for a few days for that purpose. His Lordship regretted this defect, and added that he should shew many their error respecting the extent of jurisdiction of this Court in such cases, since he felt inclined, on the verification of the charges, to hand over the same as sufficient for a criminal prosecution for conspiracy to the Attorney-General; the consequence of a conviction on which would subject the principal and accomplices to punishment more afflicting to the feelings of many persons than imprisonment or transportation and ordered diligence to be used in proving the handwriting, and the motion to be brought on as quickly as possible.

COURT OF KING'S BENCH.

Monday, Dec. 5.

DYOTT, ESQ. *v.* DUNNE.

This was an action of criminal conversation, to which there was no defence. The plaintiff is a Major-General, stationed at Lichfield; and the defendant was once an attorney, but since set up as a surgeon at Bath, where he visited the plaintiff's wife professionally. She is a woman of family, and has three children by the plaintiff, with whom it was proved she had always lived very happily, till her meeting with the defendant at Bath. She has a settlement of more than 800*l.* per annum, and 10,000*l.* at her own disposal; and the defendant, being a man of broken fortune, ran away with her: he had been in the habit of riding out with her in her carriage, and in this manner they left Bath together, and came up to London, where the defendant was soon arrested for debt, and is now in prison, the plaintiff's wife being proved to have lived with him ever since in adultery, and to have been let out of the prison by the turnkey at eight o'clock this morning.

The Jury, being charged by Lord ELLENBOROUGH as to the indefensible nature of this case, and the magnitude of the plaintiff's loss, found their verdict for him. Damages, 5,000*l.*

THE KING *v.* LORD BOYLE.

This was an indictment against John Boyle, Esq. commonly called Lord Boyle, for an assault upon Mr. Richardson, the Magistrate at Bow-street. It appeared that the defendant was in the navy, and having been released from a French prison upon the late peace, had got intoxicated on an illumination night in London, and had committed some assault, for which he was undergoing an examination at Bow-street before Sir N. Conant and Mr. Sketchley, the Magistrates, when Mr. Richardson, the prosecutor, came in, and took his seat with his brother Magistrates. The defendant abused Mr. Stafford, the clerk, who was taking down the examinations of the witnesses against him; and upon the prosecutor (who sat near him) remonstrating with him, the defendant assaulted him, attempting to drag him out, and challenging him. Upon being told by the other Magistrates, that the prosecutor was also a Magistrate, and upon the prosecutor's telling the defendant that he had been to sea himself (as he had seven years), the defendant wished to make it up with him, and offered to shake hands with him, but the prosecutor refused. It did not appear that the defendant knew the prosecutor was a Magistrate in the execution of his duty; when he assaulted him, so that he could only be convicted of a common assault; but it did appear most plainly that he was very drunk, and had offered an ample apology *by his attorney;* but Lord ELLENBOROUGH held the assault committed; and that a gentleman, who had his feelings wounded by one, however noble, was entitled to expect that that nobleman should descend from his rank, and make a *personal* reparation to those wounded feelings. The defendant was, therefore, under his Lordship's directions, found *guilty:* but his Lordship hoped, that before the next term such an arrangement would be made, as that the Court should hear no more of the case.

NOTTINGHAM, GENT. *v.* KINNARD, ESQ.

This was an action for defamation, brought by an attorney at East Redford, in the county of Notts, against the Middlesex Magistrate. It appeared that the defendant and Mr. Duncan Campbell were co-trustees of Lady Ankers, under her late husband's will; and that the plaintiff was appointed to act for Mr. D. C. during his absence abroad. The parties had had disputes respecting these affairs; but they were considered to be all settled at a meeting of the parties previous to Mr. D. C.'s going abroad, and that all the defendant's defamation of the plaintiff had been put an end to. Nevertheless, the defendant since wrote a long letter to Mr. Peter Campbell, requesting him to urge his brother not to entrust the plaintiff with his affairs, in which he renewed all his defamation, and had also slandered the plaintiff in conversation. The plaintiff's case being opened by Mr. TOPPING, his client proposed a compromise upon being paid his costs; and the ATTORNEY-GENERAL, for the defendant, closed with a proposal which he acknowledged to be handsome.

Lord ELLENBOROUGH commended the discretion of both parties: he had read every word of the long correspondence out of which this action grew, and though he was of opinion that a great deal of the defendant's language might be protected by the confidential relation in which he stood, yet he had overstepped by his indiscretion the limits which that relation allowed, and a verdict would probably in the result have passed against him. The plaintiff was, therefore, entitled to his costs: to cover which he took a verdict for 40*s.*

HODGKINSON AND CO. *v.* FLETCHER.

This was an action brought by linen-drapers in Bond-street, against one of the firm of Fletcher, Shawe, and Smith, of Ironmonger-lane, commission agents in the linen trade at Ireland, to recover the sum of 53*l.* 15*s.* 4*d.* being the amount of a bill for sheeting and body linen furnished for the defendant's wife. It appeared that the defendant lived at Ealing; that in the year 1803 his wife was separated from him by mutual consent, without any imputation of infidelity; and that the defendant then superintended her establishment in a house in Dean-street, Audley-square, the rent of which was 80*l.* per annum; that he looked to the laying in of a small quantity of wine there for her use,—that he then proposed to her relations to allow her 300*l.* per annum for her separate maintenance, she being entitled to only 100*l.* by her settlement; and that he proposed to do this so long as that sum bore its then present proportion to his then income, stipulating that he would enter into no legal obligation to make this allowance, and that she should then take one of his children to reside with her, and declaring that 400*l.* per annum was as much as in common prudence he ought to allow her. It did not appear what allowance the defendant had actually made her till the year 1813, when it was proved that he had allowed her 300*l.* by four quarterly payments, deducting from one of them the sum of 44*l.* 9*s.* which he had paid for one of her haberdashers' bills. These payments were made to her through Messrs. Foster, Cooke, and Frere, the solicitors, who refused to receive them as regular quarterly payments of an allowance, which Mrs. Fletcher always complained was insufficient, and only accepted them *on account*, because no more could be gotten. The bill in question was incurred from May, 1813, to Feb. 1814, the plaintiffs debiting Mrs. Fletcher for the goods; and the defence was, that this sum of 300*l.* was, in the defendant's present circumstances, a sufficient separate maintenance for his wife, and that therefore the defendant was not liable.

Evidence of the defendant's circumstances was gone into; and the plaintiffs proved that the defendant kept a carriage and pair of horses, a coachman and footman, besides female servants, and lived like a gentleman in a leasehold house and garden, at Ealing, at the rate of about 2000*l.* per annum; that he owned the house of business of his firm, which he let to it for 400*l.* per annum, and that his family was superintended by a lady in quality of governess. On the other hand, the defendant's Counsel proved that his wife had since the separation instituted a suit against him, in the Commons, charging him with cruelty and infidelity (which suit was dismissed by Sir Wm. Scott, and afterwards by Sir John Nicholl, on appeal, as wholly unfounded) which had put the defendant to an expense of 2000*l.*; that during that suit the Court had decreed the defendant's wife 350*l.* per annum, exclusive of Property-tax, for alimony; that in the year 1810, the defendant's house had met with losses, of which his share amounted to 11,000*l.* or 12,000*l.*; that the defendant had five children, viz. four girls, two of whom were grown up, and a boy at school.

Lord ELLENBOROUGH treated her allowance as 300*l.* per annum, and left it to the Jury whether this was a fair and competent allowance for a person in the defendant's condition and with his family to make. He adverted to the defendant's losses, and although it was proved that the affairs of the firm had been materially changed for the better since, yet it was proved that their business had since never been so good as before those losses; and, it must be recollected, that mercantile people were unwilling even for their defence to unveil the actual state of their circumstances. As the plaintiffs had debited the defendant's wife, they ought to have enquired into her circumstances, and given her credit only in proportion to her allowance from her husband.

The Jury found their verdict for the plaintiffs—Damages 53*l.* 15*s.* 4*d.*

In this case Lord ELLENBOROUGH ruled, that the defendant's wife's hand-writing was no evidence of what she had received from her husband, since husband and wife might thus collude to defraud a tradesman, by setting up any quantity of paper they pleased, made at any time they pleased.

Tuesday, Dec. 6.

IMPRESS SERVICE.—THE KING *v.* JOHN BAKER.

This was an indictment for assaulting Lieutenant Dean, of the Royal Navy, (an impress officer) at Bow, in the county of Middlesex, on the 27th of July, 1813. It appeared that the defendant was at the head of a mob, who assaulted the Lieutenant, pulling him to the ground, and dragging him to a public-house; that the Lieutenant, seeing the mob approach, had ordered his gang off with an impressed man, but that they were obliged to surrender the man from the violence of another party of the mob.—The Jury found the defendant *Guilty*.

COURT OF COMMON PLEAS.

Monday, Dec. 5.

KNIGHT, ESQ. *v.* LORD MIDDLETON.

This was an action under very peculiar circumstances. The plaintiff, as it appeared by the testimony of one of his own witnesses, had, in the year 1807, brought an action against Col. Fuller for criminal conversation with his wife, and had received large damages. He afterwards went into Doctors' Commons, with the view of obtaining a divorce, but this was resisted on the ground of collusion with Colonel Fuller, and he then thought proper to withdraw the proceedings. He had, however, separated himself from his wife since that time. In Nov. 1813, Mrs. Knight was delivered of a child. The plaintiff conceived Lord Middleton to be the father of it, and brought his action against his Lordship accordingly.

The evidence in support of the plaintiff's case went on two grounds. The first was to shew such familiarities between the defendant and Mrs. Knight as to raise a presumption that the criminal intercourse had taken place. The second ground, and what was most relied, was, that the conduct of Lord Middleton had been such as that the Jury must believe him to be the father of the child, and consequently that he must have committed adultery with Mrs. Knight. Upon the first point, several servants of Mrs. Knight's proved, that Lord Middleton was in the habit of visiting her at her residence at Hampton-cottage, in Warwickshire. It did not appear, however, that there was any thing very particular in those visits, as his Lordship was in the habit of intimacy with her father, Lord Dormer, and her whole family. His Lordship had also frequently visited her at her residence in Manchester-street, London. Lord Middleton, however, seldom visited her after it was dark, and never slept there. Other gentlemen had also visited her as well as his Lordship. The circumstances of suspicion on those visits were very slight. On the second point there was nothing proved, except that Lord Middleton had called at Mary-le-bone church to see the register of baptism of the child, and had taken an extract of it. This circumstance was accounted for, by its having appeared that he had been reported to be the father of the child, and an action threatened against him. It appeared also that he had been once seen coming from the house where the child was nursed.

Serjeant SHEPHERD, on the part of the defendant, submitted that there was no evidence to go to a jury, and that the plaintiff must be non-suited.

The CHIEF JUSTICE said the evidence was indeed extremely slender, but he thought it better that the case should go to the jury.

Serjeant SHEPHERD then stated to the Jury, that, if under those circumstances they were inclined to find for the plaintiff, the smallest coin known in this country would be sufficient to give as damages. He contended, however, that no circumstances at all were proved which could warrant a Jury in finding that an adulterous connection had taken place between his Lordship and Mrs. Knight. If the lady, in her state of separation from her husband, had produced a child, it was evident that she had committed adultery with somebody or other; but that was no proof against Lord Middleton, any more than against any other gentleman who visited her. As to the circumstances which had been stated, there was nothing which could give them a right to infer that at any particular time or place this adulterous connection had taken place.

The CHIEF JUSTICE began his charge to the Jury by informing them, that it had been held by Lord Kenyon, and had

since been ruled by the Court of King's Bench, that as the action for *crim. con.* was an action to recover damages for being deprived of the aid and comfort of the society of a wife, a husband that had voluntarily separated himself from that society could not maintain this action. In the case, however, where this doctrine was held, the separation had been a regular one. As it did not appear that the separation here was a regular one, he should allow the case to go to them, giving at the same time a power to the defendant's Counsel (in case their verdict should be for the plaintiff) to move the Court of Common Pleas for a nonsuit on this ground. His Lordship then recapitulated the evidence, and pointed out the slightness of the grounds upon which the adulterous connection had been inferred.

The Jury without retiring found a verdict for the defendant.

Thursday, Dec. 8.

VERNON *v.* MILES.

The plaintiff in this case was a gentleman, resident in Essex; the defendant one of the keepers of Garraway's Coffee-house.—The Counsel for the plaintiff stated, that the action was brought on his part to recover damages for assault and false imprisonment. The plaintiff was in the habit of frequenting Garraway's Coffee-house, where at times he paid on the spot for the refreshments which he took, and at other times, like most persons in the habit of frequenting coffee-houses, left the bill of one day unpaid, paying the next time he went to the house that account. The keepers of Garraway's having observed that in the hurry of business many persons went away without paying for the refreshments they had had, most unwarrantably and without any warning delivered the plaintiff, who was in the coffee-room, to a constable as a swindler, who took him to the Compter, where he was kept the whole of the night, among the felons and other prisoners. The next morning he was liberated on the word of Mr. Haines, a respectable attorney, well acquainted with him, and appearing before the Lord Mayor was discharged. The defendant had pleaded a justification.

Mr. Serjeant BEST, for the defendant, dwelt on the meanness of the conduct which he should prove the plaintiff to have been guilty of, conduct from the prevalence of which the keepers of Garraway's had severely suffered. This, though it would not justify the conduct of the defendant in seizing the plaintiff, would induce the Jury to think that a farthing would be ample damages in such a case.

Two waiters proved that the plaintiff had frequented Garraway's for about a month before he was taken into custody. He had been suspected of going away without paying, and these suspicions were confirmed on one occasion by his giving the waiter a penny as he was going out of the coffee-room, and saying that had settled with the master, whereas it was found on inquiry that he had not paid at all. The two witnesses were then stationed to watch him when he came again. They observed that he took some ginger beer and sandwiches, at different times, in four successive days, after which he rose, and walking up and down the room, sometimes pretending to dry his handkerchief at the fire, and looking about to see whether he was observed, took an opportunity to steal out, without having paid at either time. The constable was sent for at last, and took him as he was attempting to leave the coffee-room as before.

The CHIEF JUSTICE observed, that though the defendant had clearly acted both illegally and improperly in seizing the plaintiff, without mentioning any thing of the reckoning, or demanding payment, yet that the conduct of the plaintiff also was not free from blame, even taking into account the prejudices in the mind of the waiters, that might have induced them to attribute to him a systematic intention, which he possibly might not have entertained. The practice in such coffee-houses was for each person to mention, on leaving the coffee-house, the refreshment which he had had, so that it might be booked, if he was not too well known to render it unnecessary, which did not appear to be the case of the plaintiff. The Jury in fixing the damages would therefore consider the peculiar circumstances of the case. Verdict for the plaintiff—Damages, *One Farthing*.

MIDDLESEX SESSIONS.

On Monday, *John Shepperd*, keeper of the toll gate, Battlebridge, was indicted for an assault on Jane Dobbin, a child aged *five* years.—*Mr. Wakefield*, surgeon, proved violence; but as the child could not relate the circumstances, nor take an oath, the CHAIRMAN said it would be too much to call on the Jury for a verdict on such evidence.—*Acquitted.*

John Flack, a musician in the Guards, was indicted for obtaining two flutes, two clarionets, and two violins, on false pretences, from Mr. Bannister, alleging that he wanted them for a Mr. Lewis, of Croydon, when in fact no such order had ever been received from any Mr. Lewis.—The obtaining, the false pretences, and the pledging, having been satisfactorily proved, the Jury returned a verdict of *Guilty*.—The CHAIRMAN, in passing sentence, observed, that this conduct was so common as to be of most ruinous and extensive effect on honest tradesmen, and loudly called on the Bench to inflict a sentence that should operate as a warning, especially where the swindlers, as in the present instance, could obtain an excellent living by honourable exertions. Sentence—*Transportation for seven years.*

James Esley, one of the begging robbers that infest the metropolis about dusk every evening, was indicted for assaulting Mrs. Wagg and her daughter with intent to rob them.—Mrs. W. stated, that about seven o'clock in the evening, as she was passing along Hatton-garden, the prisoner came up to her on pretence of begging for halfpence. She had none, and told him so, when he instantly elevated a thick stick, and threatened to knock her down, if she did not give him a shilling. She was about to comply for the sake of rescuing herself from this situation, when a gentleman came up, and seized the prisoner.—*Guilty*.—The CHAIRMAN regretted to state, that this was only one of many cases of a similar nature that were occurring every evening. It was a species of robbery, and whenever such charges came before them, the Court would punish with severity. Sentence—*Six months' imprisonment in the House of Correction.*—Adjourned.

ACCIDENTS, OFFENCES, &c.

Saturday week, an inquest was held at the Secretaries' Office, in Gray's-inn-square, on the body of John Hinckley, Esq. who was found dead in his bed, in his Chambers, on the second floor, at No. 9 in the square. It appears that Mr. Hinckley was between 50 and 60 years of age, of a most penurious and eccentric manner of living; he provided every necessary he wanted, and hardly ever permitted any one to enter his chambers; he brought in whatever he wanted at night, such as his coal-, fire-wood, bread, &c. and if he heard that bread was to rise next day, he went the preceding evening for his half quartern loaf, to save a farthing. He always went to the cheapest chandler's shop to buy his butter or rasher of bacon, and was consequently well known in the neighbourhood of Gray's-inn-lane. All last summer he was known to be up at three o'clock every morning, with a plaid cloak over his shoulders; in this manner he walked round the square, went into the different passages and necessaries, in order to pick up any thing he found lying there. Part of last summer he had an old woman who officiated as his laundress, lighted his fire, and cleaned his chambers; to this woman he paid 2*d.* for each morning he required her services; to save this expence, during the latter part of the summer he did all himself; he cleaned his place and emptied his own slops. He was heard talking of going to Scotland during last summer; and in the latter end of August Mr. Hinckley being missing, he was supposed to have gone to Scotland. Days, weeks, and months, however, passed, and the chambers remained shut, nor was there any inquiry made by any of his friends. It at length began to be whispered among the porters of the inn, that perhaps he might be dead in his bed; and to satisfy their own curiosity, they agreed to get a ladder and rear it against the window of his bed-room, which looked into the gardens.—*James Hubbard*, one of the porters

of the Inn, deposed, that he and three more of the potters procured a long ladder, and placed it to Mr. Hinckley's bedroom window, which they opened and went in, and on undrawing the curtains at the bed feet, he saw the appearance of a person lying in the bed; the face was as black as ink, and completely covered over with large green flies; the coverlid and floor were also covered over with flies and large maggots; the body was so dry and shrivelled up, and the flesh so much eaten off the face, that it was impossible to say it was the remains of Mr. Hinckley, otherwise than by identifying his plaid cloak, and the other articles of wearing apparel. Witness called another of the porters, who looked in and saw the same shocking sight. All the keys of the different doors of his drawers lay on the window, which witness and the other three porters took to the house of Henry Hinckley, Esq. brother to the deceased, who lives in Guildford-street. Verdict—*Died by the visitation of God.*—It is supposed the deceased died worth considerable property.

On Thursday, an inquest was held at the Crown, Westminster Bridge, on the body of John Stevenson, late a saddler in Westminster-road, who was killed, on Tuesday, by Zephyr, the stag at Astley's Theatre.—*Mr. Parker* stated, that he had the care of the stag, which belongs to a foreigner named Garnier. Mr. Garnier had been applied to several times to take the animal away, but had neglected to do so; it was kept in a stall near the stables. On Tuesday last witness was preparing to feed it with turnips when he saw the deceased, who had been employed last summer to make a collar or halter for the deer. Finding it was tight, the animal having grown fat, he called Stevenson, and asked if it could not be altered? The deceased said it could. After a few minutes conversation they went towards the stall, and on the approach of Mr. Stevenson, the stag made a dart at him, fixed him with its horn against the wall, and gored him; the witness having a stick beat the stag and forced it to quit the deceased; Stevenson then appeared with his body bent towards the ground; a profusion of blood issued from the wound; and in a short time after the accident the deceased expired. The witness had, previously to the accident, told him the animal was dangerous.—*Mr. Cook*, surgeon, deposed, that he found the deceased had received a wound on the superior and anterior part of the thigh; and he had no doubt there was a division of the femoral artery and femoral vein. Arterial action had ceased, and from the nature of the injury done, the witness entertained no hope of recovery; he considered the wound mortal.—The Jury found their verdict—*Accidental Death.* The stag is forfeited to the Archbishop of Canterbury, as a deodand: ten pounds are to be given as an equivalent.

Saturday week, a man about fifty years of age was found dead in Greenwich-park, under very suspicious circumstances of murder. An inquest has since been held on the body, but after a laborious investigation of two days, notwithstanding a great number of witnesses were examined, and every diligence used, the Jury at last were obliged to find a verdict of—*Killed by a gun shot, fired by some person or persons unknown.* It appeared before the Coroner that the name of the deceased was Thomas Putnam; that he was a man retired from business, and accustomed to walk about the Park and Blackheath for his amusement, and that a bullet from some fire-arms had been shot through his head from temple to temple about five o'clock on Saturday evening, as is supposed (the report of a gun having been heard at that time in the Park by several persons); but the body was not found until near eight o'clock, when two vagrants, who were going up the main walk to the Heathgate, discovered it quite dead, near the corner of the Princess of Wales's enclosure, and gave no alarm to the towns' people, who fetched the body away the same evening. Suspicion fell on the parties who gave the information, but nothing could be fixed upon them. No fire arms could be found, nor any bullet mark near the spot. It is strongly suspected, however, that mischief was intended to the park-keepers, for whom the deceased might have been taken, as he was returning from the heath on that evening. The deceased was a single man, and there is not the slightest cause to think that he destroyed himself.

We have received the following extract of a letter from Dublin, respecting a fatal accident from the use of the detonating balls, which has been before mentioned, but which did not then appear to us to be sufficiently authenticated:—"An accident has occurred this day, which I hope will be a warning against the use of detonating balls. Mrs. —— had unfortunately taken one up, and was scraping it with a knife, when, as I suppose, she pressed it too hard, and it exploded, and shattered the knife into three parts, forcing the fragments into her throat;—*in the space of five minutes she bled to death!* Mr. ——, who went there, declares that they had entered with such force, that they were extracted with great difficulty."—*Times.*

BIRTHS.

On the 29th ult. the wife of Alexander Macdonald, a poor labourer in Edinburgh, of three daughters, who with their mother are doing well.

MARRIAGES.

On Friday week, at Fawley, the Hon. and Rev. P. A. Irby, a younger son of Lord Boston, to Miss de Crespigny, the eldest daughter of Mr. and Lady S. de Crespigny, of King's-row, in the New Forest.

On Saturday week, Lieut.-Colonel Charles West, of the 3d Guards, to Jane, eldest daughter of the Rev. George Preston, of Stanfield Hall, Norfolk.

DEATHS.

On Tuesday afternoon, in Newman street, in the 73d year of her age, the Lady of Benjamin West, Esq. President of the Royal Academy. Mrs. West was a Lady of superior intellectual and social endowments; and her decease has called forth the regrets of all who enjoyed her friendship.

On the 2d inst. after a short illness, at his house at Denmark Hill, Camberwell, universally respected and sincerely lamented, Thomas Wilson, Esq. "His irreparable loss (says a Correspondent) will long be mourned by his disconsolate family and a large circle of friends, as well as severely felt by the numerous objects of his bounty and charity. It can be justly said of this excellent man, that he performed every christian duty in this world, and few have left it with so firm a prospect of a bright reward."

On the 25th ult. at Hereford, much regretted, the Rev. John Cam, A.M. Chaplain to the Countess of Kinnoul, Rector of Quarley in Hampshire, Vicar of Mansell in Herefordshire, and a Brother of the Society of St. Catherine's in London.

On the 16th ult. at Geneva, the most noble John, Marquis of Bute, Earl of Windsor.

At his seat, Slindon-house, Sussex, on the 28th ult. aged 57 years, the Right Hon. Anthony James Radcliffe, Earl of Newburgh. His Lordship was the last heir male descended of the body of Francis, 1st Earl of Derwentwater; and dying without issue, the right to the ancient paternal estates of this noble family, long vested in the Governors of Greenwich Hospital, devolve, by virtue of an intail, on the present Lord Petre, as the heir general of James, 3d Earl of Derwentwater.

At Llanycharon, Cardiganshire, Jane Harry, aged 105. This venerable matron had at the time of her death, four children, 33 grand children, 119 great grand children, and 47 great great grand children. She retained the use of her faculties to the last.

At Llanbadarnfawr, Cardiganshire, John Davies, aged 108, who for some years past was in the regular habit of going to Aberystwith, on Saturday afternoon, for the purpose of being shaved. He walked erect, and even thrashed wheat within two months of his death.

On the 18th ult. at Kirkandrews-upon-Eden, Mr. Robson, aged 94. His sisters died a few years ago, one at the age of 88, and the other 86. He had also another sister, a widow, who died at the age of 83; and his father lived to the extraordinary age of 101.

Printed and published by JOHN HUNT, at the EXAMINER Office, 21, Maiden-Lane, Covent-Garden.—Price 2½d.